IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

TUESDAY, THE 12TH JUNE 2007 / 22ND JYAISHTA 1929

WA.No. 1366 of 2007()

{AGAINST INTERIM ORDER IN W.P.(C)NO.15666/2007
OF THIS COURT}
.....

APPELLANT: PETITIONER

M/S.YASORAM BUILDERS,
A PARTNERSHIP FIRM,
REPRESENTED BY ITS MANAGING
PARTNER, A.R.S.VADHYAR, "YASORAM",
CONVENT ROAD, ERNAKULAM.

BY ADV. SRI.S.R.DAYANANDA PRABHU

RESPONDENT: DEFENDANT

TAHSILDAR,
KANAYANNUR TALUK OFFICE,
ERNAKULAM.

BY SPECIAL GOVERNMENT PLEADER FOR TAXES
SRI.V.V.ASHOKAN

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 12/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L.DATTU, C.J. & K.T.SANKARAN, J.

W.A.No.1366 of 2007

Dated this the 12th day of June, 2007.

JUDGMENT

H.L.DATTU, C.J.

Against the order interim order passed by the learned single Judge in W.P.(C)No.15666/07, the petitioner is before us in this writ appeal. The interim order passed by the learned single Judge reads as under:

> "Government Pleader takes notice. There will be stay against recovery proceedings for three months on petitioner remitting Rs.25,000/- within one month from now."

It is the correctness of the said order that is called for in question in this appeal.

2. Normally, the appellate court will not interfere with the interim orders passed by a learned single Judge of this institution, unless it is arbitrary, capricious or unreasonable. We do not find any either arbitrariness or unreasonableness in the interim order passed by the learned single Judge. Therefore, the writ appeal deserves to be rejected and it is rejected. Ordered accordingly.

Sd/-
H.L.DATTU
CHIEF JUSTICE

Sd/-
K.T.SANKARAN
JUDGE

sk/

//true copy//

P.S. To Judge